

THE HONORABLE JUDGE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHARLES SHANK,

Plaintiff,

v.

KITSAP COUNTY, a Washington state
municipal corporation; RON YINGLING;
RANDY CASTEEL; CHRIS ENDRESEN;
JON BRAND; BURT FURUTA; and
MALCOLM FLEMING,

Defendants.

NO. C04-5843RJB

**ORDER RE MOTION TO COMPEL
DISCOVERY AND FOR AWARD OF
ATTORNEY'S FEES AND
SANCTIONS**

NOTE ON MOTION CALENDAR:
JUNE 17, 2005

This matter comes before the court on the above referenced motion (Dkt. No. 29). The court is familiar with the records and files herein, and all documents filed in support of the motion. For the reasons stated herein, the motion is granted.

The discovery that is the subject of defendants' motion has not been received by defendants, and no response to the motion or documents in opposition to the motion have been filed with the Court. Accordingly, it is ordered that Defendants' Motion for an Order to Compel Discovery Responses is GRANTED, and Defendants' request for attorney's fees and an award of sanctions against Plaintiff is ALSO GRANTED to the extent set forth below.

IT IS ORDERED that

1. Within two business days from the date of this Order, Plaintiff shall deliver, without objection, answers and documents responsive to Defendants Randy Casteel's, Chris Endresen's, Jon Brand's, and Malcolm Fleming's Interrogatories and Requests for Production of Documents and Things Directed to Plaintiff; and

2. Within two business days from the date of this Order, Plaintiff shall pay Defendants' attorney's fees in the amount of \$270.00 and sanctions in the amount of \$300.00 for Plaintiff's failure to make discovery in accordance with the Civil Rules.

The Clerk of the Court is instructed to send uncertified copies of this Order to all counsel of record and to any party appearing pro se at said party's last known address.

DATED this 20th day of June, 2005.



ROBERT J. BRYAN
United States District Judge